

Sears/Kmart v. LGE –
AGREED-UPON SCHEDULE FOR JURY TRIAL PRETRIAL EXCHANGES

<u>Date</u>	<u>Description</u>
08/8/2016	Sears/Kmart serve: <ul style="list-style-type: none"> 1) images of trial exhibits; 2) revised list of trial exhibits; 3) list of written discovery designations; 4) revised affirmative deposition designations; 5) amended witness list with will or may call designations
09/15/2016	LG serves: <ul style="list-style-type: none"> 1) images of trial exhibits; 2) revised list of trial exhibits; 3) list of written discovery designations; 4) revised affirmative deposition designations; 5) counter designations to Sears/Kmart deposition designations; 6) amended witness list with will or may call designations; 7) objections to Sears/Kmart's trial exhibits, deposition designations, discovery designations, and witness list
10/7/2016	Sears/Kmart serve: <p>counter designations to LG's deposition designations;</p> <p>objections to LG's trial exhibits, affirmative and counter deposition designations, witness list, and discovery designations</p>
10/28/2016	LG serves objections to Sears/Kmart's counter deposition designations
10/31/2016	Simultaneous exchange of jury instructions and jury verdict forms
11/04/2016	Parties exchange proposed joint pretrial statement and proposed order ¹

¹ The pretrial statement and proposed order shall include exhibit lists, witness lists (will and may call), and each disputed discovery response, exhibit, or deposition testimony excerpt, each objection to its admission, the grounds for the objection, and the position of the offering party.

<u>Date</u>	<u>Description</u>
11/18/2016	<p>By this date, parties shall:</p> <ol style="list-style-type: none"> 1) meet and confer re: <ol style="list-style-type: none"> a) settlement; b) pretrial statement and order; c) proposed written jury voir dire questionnaire; d) proposed jury voir dire questions, jury instructions, and jury verdict forms; and e) proposed witnesses, deposition designations, written discovery designations, and exhibit lists; 2) exchange copies of all exhibits, summaries, charts, schedules, diagrams, and other similar documentary materials to be used in their case-in-chief, with a list of all such proposed exhibits
12/2/2016	Last day to file proposed written jury voir dire questionnaire and jury voir dire questions, joint pretrial statement and proposed order, ² and agreed-upon and disputed jury instructions and proposed jury verdict form, each to include language indicating ability to revise/amend within a certain period if appropriate after the district court's ruling on pending motions.
12/12-13/2016	Pretrial conference
01/02/2017	<p>Last day for parties to:</p> <ol style="list-style-type: none"> 1) lodge exhibits with the Court and exchange trial-stamped exhibit copies; 2) file optional trial briefs
01/09/2017	First day of Sears/Kmart jury trial ³

² See *supra* note 1.

³ LG will propose a separate schedule for exchanges and dates related to a bench trial as part of its filing on August 12, 2016, asking the Court to order such a trial.